

PHILLIP R. KAPLAN (S.B. #76949)
DAVID R. KOCH (S.B. #211609)
O'MELVENY & MYERS LLP
610 Newport Center Drive, 17th Floor
Newport Beach, California 92660
Telephone: (949) 760-9600
Facsimile: (949) 823-6994

Attorneys for Defendant, Robertson Stephens, Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ALAN LEFORT, Derivatively on Behalf
OPENWAVE SYSTEMS, INC.,

Plaintiff,

v.

ALAN BLACK, ROGER EVANS,
ANDREW VERHALEN, ALAIN
ROSSMANN, CHARLES PARRISH,
DAVID KRONFELD, REED HUNDT,
CREDIT SUISSE FIRST BOSTON
CORPORATION, ROBERTSON
STEPHENS, INC. f/k/a BANCOSTON
ROBERTSON STEPHENS, INC., and
DOES 1-25, inclusive,

Defendants,

-and-

OPENWAVE SYSTEMS, INC., a
Delaware corporation,

Nominal Defendant.

CASE NO. C 02 2465 VRW

**NOTICE OF JOINDER OF
DEFENDANT ROBERTSON
STEPHENS, INC. IN CREDIT
SUISSE FIRST BOSTON
CORPORATION'S REPLY IN
SUPPORT OF MOTION TO DISMISS
FIRST AMENDED SHAREHOLDER
DERIVATIVE COMPLAINT**

Date: March 27, 2003
Time: 2:00 p.m.
Judge: The Honorable
Vaughan R. Walker

TO ALL COUNSEL AND THEIR PARTIES OF RECORD:

PLEASE TAKE NOTICE that Defendant Robertson Stephens, Inc. hereby joins in Defendant Credit Suisse First Boston's Reply Memorandum of Points and Authorities in Support of Motion to Dismiss Plaintiff's First Amended Shareholder Derivative Complaint scheduled to be heard on March 27, 2003 at 2:00 p.m. at the United States District Court, Northern District of California, 450 Golden Gate Avenue, San Francisco, California 94102, Courtroom 6, 17th Floor, before the Honorable Vaughn R. Walker.

Dated: March 17, 2003

PHILLIP R. KAPLAN
DAVID R. KOCH
O'MELVENY & MYERS LLP

By /s/ David R. Koch
DAVID R. KOCH
Attorneys for Defendant Robertson
Stephens, Inc.